

REMARKS

1. Status of claims

Claims 11-31 are pending in the application. Claims 1-10 have been cancelled. Claim 31 is added as a new claim. Claims 11 and 16 have been amended to depend on the new generic claim 31 and to eliminate redundancy from dependent claims 11 and 16. Support for new claim 31 can be found, for example, on page 8 line 3 to page 11 line 9. No new matter has been introduced.

2. Election of Species

In response to the election of species requirement in the office action mailed 2/25/03, applicants (1) present generic claim 31 and (2) provisionally elect, **with traverse**, species 1, involving a semiconductor layer formed on a substrate, wherein the semiconductor layer is formed of a group-II metal oxide. Claims 11-15, 17-23 and 31 read on the provisionally elected species.

Since claim 31 is generic, upon allowance of claim 31 or any other generic claim, the applicants should be entitled to consideration of claims directed to non-elected species 2.

The applicants traverse the election requirement on the ground that the examiner has not shown that requirement is proper because the examiner has not met his burden of showing that the inventions are independent and distinct as required by 35 USC 121. More specifically, the examiner alleges that there are distinct species, but the examiner has provided no reasoning explaining why those species are distinct.

Should the examiner have any questions, he is urged to contact the undersigned at 703-415-0012.

Respectfully Submitted,



3-25-03

Date

Irina Zemel

Irina Zemel, Ph.D.
Registration No. 35,299
Attorney of Record

31518

PATENT TRADEMARK OFFICE

Neifeld IP Law, PC
2001 Jefferson Davis Highway
Suite 1001

Tel: 703-415-0012
Fax: 703-415-0013
Email: rneifeid@Neifeid.com

Printed: March 25, 2003 (12:32pm)

Y:\Clients\Hashizume\HASH0012UPCTUS\Drafts\ResponseToRestr_0300307.wpd